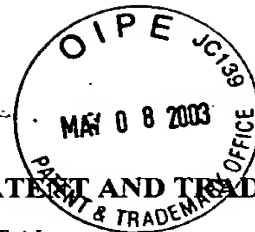


Docket No. 212761US99



2815  
#11 / DS  
10-7-03  
Ratula

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ROBERT LEMPKOWSKI ET AL

SERIAL NO: 09/928,356

GAU: 2815

FILED: AUGUST 14, 2001

EXAMINER: BAUMEISTER

FOR: STRUCTURE AND METHOD FOR FABRICATING SEMICONDUCTOR STRUCTURES AND DEVICES FOR DETECTING AN OBJECT

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references were submitted in application Serial No. 09/908,888 according to the attached copy of a Granted Petition. This application contains related subject matter.
- ☒ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



22850

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 03/02)

RECEIVED  
MAY 13 2003  
TECHNOLOGY CENTER 2800

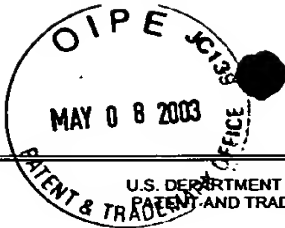
Richard L. Treanor  
Registration No. 36,379

05/09/2003 WABDELRI 00000015 09928356 180.00 DP 01 FC:1806



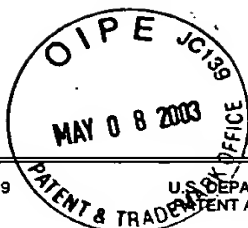
Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 212761US99		SERIAL NO. 09/928,356	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Robert LEMPKOWSKI, et al.			
				FILING DATE August 14, 2001		GROUP 2815	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	UT	5,528,209	06/18/96	Macdonald et al.			
	UV	5,998,781	12/07/99	Vawter et al.			
	UW	6,110,813	08/29/00	Ota et al.			
	UX	6,452,232 B1	09/17/02	Adan			
	UY	6,049,110	04/11/00	Koh			
	UZ	5,559,368	09/24/96	Hu et al.			
	VA	6,392,253 B1	05/21/02	Saxena			
	VB	5,585,288	12/17/96	Davis et al.			
	VC	5,268,327	12/07/93	Vernon			
	VD	6,198,119 B1	03/06/01	Nabatame et al.			
	VE	6,113,225	09/05/00	Miyata et al.			
	VF	5,262,659	11/16/93	Grudkowski et al.			
	VG	6,239,012 B1	05/29/01	Kinsman			
	VH	6,297,598	10/02/01	Wang et al.			
	VI	2002/140012	10/03/02	Droopad			
	VJ	4,866,489	09/12/89	Yokogawa et al.			
	VK	6,080,378	06/27/00	Yokota et al.			
	VL	5,508,554	04/16/96	Takatani et al.			
	VM	6,477,285 B1	11/05/02	Shanley			
	VN	4,695,120	09/22/87	Holder			
	VO	5,882,948	03/16/99	Jewell			
	VP	5,574,589	11/12/96	Feuer et al.			
	VQ	5,510,665	04/23/96	Conley			
	VR	4,804,866	02/14/89	Akiyama			
	VS	5,057,694	10/15/91	Idaka et al.			
	VT	5,635,453	06/03/97	Pique et al.			
	VU	5,719,417	02/17/98	Roeder et al.			
	VV	5,998,819	12/07/99	Yokoyama et al.			
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

RECEIVED  
MAY 13 2003  
TECHNOLOGY CENTER 2800



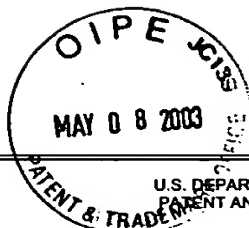
Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 212761US99		SERIAL NO. 09/928,356	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Robert LEMPKOWSKI, et al.			
				FILING DATE August 14, 2001		GROUP 2815	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	VW	2002/0079576	06/27/02	Seshan			
	VX	5,148,504	09/15/92	Levi et al.			
	VY	2002/0195610 A1	12/26/02	Klosowiak			
	VZ	5,477,363	12/19/95	Matsuda			
	WA	5,905,571	05/18/99	Butler et al.			
	WB	5,570,226	10/29/96	Ota			
	WC	5,087,829	02/11/92	Ishibashi et al.			
	WD	2001/0020278 A1	09/06/01	Saito			
	WE	6,496,469 B1	12/17/02	Uchizaki			
	WF	5,679,947	10/21/97	Doi et al.			
	WG	2001/0036142 A1	11/01/01	Kadowaki et al.			
	WH	5,446,719	08/29/95	Yoshida et al.			
	WI	5,831,960	11/03/98	Jiang et al.			
	WJ	5,693,140	12/02/97	McKee et al.			
	WK	6,376,337 B1	04/23/02	Wang et al.			
	WL	4,177,094	12/04/79	Kroon			
	WM	5,216,359	06/01/93	Makki et al.			
	WN	6,307,996 B1	10/23/01	Nashimoto et al.			
	WO	5,371,621	12/06/94	Stevens			
	WP	2002/0145168 A1	10/10/02	Bojarczuk, Jr et al.			
	WQ	3,617,951	11/02/71	Anderson			
	WR	5,838,053	11/17/98	Bevan et al.			
	WS	5,684,302	11/04/97	Wersing et al.			
	WT	5,959,308	09/28/99	Shichijo et al.			
	WU	5,362,972	11/08/94	Yazawa et al.			
	WV	5,864,171	01/26/99	Yamamoto et al.			
	WW	5,028,563	07/02/91	Felt et al.			
	WX	5,937,115	08/10/99	Domash			
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

RECEIVED  
MAY 13 2003  
TECHNOLOGY CENTER 2800



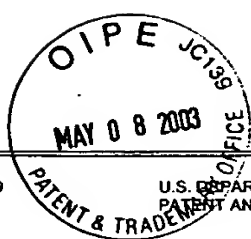
Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 212761US99		SERIAL NO. 09/928,356	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Robert LEMPKOWSKI, et al.			
				FILING DATE August 14, 2001		GROUP 2815	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	WY	5,878,175	03/02/99	Sonoda et al.			
	WZ	4,801,184	01/31/89	Revelli			
	XA	5,140,387	08/18/92	Okazaki et al.			
	XB	5,410,622	04/25/95	Okada et al.			
	XC	6,064,783	05/16/00	Congdon et al.			
	XD	5,772,758	06/30/98	Collins et al.			
	XE	5,666,376	09/09/97	Cheng			
	XF	5,976,953	11/02/99	Zavracky et al.			
	XG	5,578,162	11/26/96	D'Asaro et al.			
	XH	5,585,167	12/17/96	Satoh et al.			
	XI	5,674,813	10/07/97	Nakamura et al.			
	XJ	5,574,296	11/12/96	Park et al.			
	XK	6,504,189	01/07/03	Matsuda et al.			
	XL	5,987,196	11/16/99	Noble			
	XM						
	XN						
	XO						
	XP						
	XQ						
	XR						
	XS						
	XT						
	XU						
	XV						
	XW						
	XX						
	XY						
	XZ						
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

RECEIVED  
MAY 13 2003  
TECHNOLOGY CENTER 2800



Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 212761US99		SERIAL NO. 09/928,356	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Robert LEMPKOWSKI, et al.			
				FILING DATE August 14, 2001		GROUP 2815	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	CBC	EP 1 035 759	09/13/00	Europe			
	CBD	EP 0 860 913	08/26/95	EUROPE			
	CBE	5-232307	09/10/93	JAPAN W/ENGLISH ABSTRACT			
	CBF	5-243525	09/31/93	JAPAN W/ENGLISH ABSTRACT			
	CBG	3-171617	07/25/91	JAPAN W/ENGLISH ABSTRACT			
	CBH	EP 1 089 338	04/04/01	EUROPE			
	CBI	01 294594	11/28/99	JAPAN (ABSTRACT)			
	CBJ	05 221800	08/31/93	JAPAN (ABSTRACT)			
	CBK	03-149882	11/07/89	JAPAN			
	CBL	0 614 256	09/07/94	EUROPE			
	CBM	1 054 442	11/22/00	EUROPE			
	CBN	0 852 416	07/08/98	EUROPE			
	CBO	WO 02/08806	01/31/02	WIPO			
	CBP	WO 01/59837	08/16/01	WIPO			
	CBQ	62-245205	10/26/87	JAPAN W/ENGLISH ABSTRACT			
	CBR	0 600 658	06/08/94	EUROPE			
	CBS	0 412 002	02/06/91	EUROPE			
	CBT	2000-349278	12/15/00	JAPAN (ENGLISH ABSTRACT)			
	CBU	01-196809	08/08/89	JAPAN (ENGLISH ABSTRACT)			
	CBV	0 619 283	10/12/94	EUROPE			
	CBW	0 661 561	07/05/95	EUROPE			
	CBX	0 331 338	09/06/89	EUROPE			
	CBY						
	CBZ						
	CCA						
	CCB						
	CCC						
	CCD						
	CCE						
	CCF						
	CCG						
	CCH						
	CCI						
	CCJ						
	CCK						
	CCL						
	CCM						
	CCN						
	CCO						
	CCP						

RECEIVED  
MAY 13 2003  
TECHNOLOGY CENTER



Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 212761US99	SERIAL NO. 09/928,356
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Robert LEMPKOWSKI, et al.	
				FILING DATE August 14, 2001	
GROUP 2815					
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)					
	KKAO	Charles Kittel: "Introduction to Solid State Physics"; John Wiley & Sons, Inc. Fifth Edition; pp. 415			
	KKAP	Chyuan-Wei Chen et al.; "Liquid-phase epitaxial growth and characterization of InGaAsP layers grown on GaAsP substrates for application to orange light-emitting diodes"; 931 Journal of Applied Physics; 77 (1995) 15 January, No. 2; Woodbury, NY, US; pp. 905-909			
	KKAQ	W. Zhu et al.; "Oriented diamond films grown on nickel substrates"; 320 Applied Physics Letters; 63(1993) September, No. 12, Woodbury, NY, US; pp. 1640-1642			
	KKAR	M. Schreck et al.; "Diamond/Ir/SrTiO <sub>3</sub> : A material combination for improved heteroepitaxial diamond films"; Applied Physics Letters; Vol. 74, No. 5; February 1, 1999; pp. 650-652			
	KKAS	Yoshihiro Yokota et al.; "Cathodoluminescence of boron-doped heteroepitaxial diamond films on platinum"; Diamond and Related Materials 8(1999); pp. 1587-1591			
	KKAT	J.R. Busch et al.; "LINEAR ELECTRO-OPTIC RESPONSE IN SOL-GEL PZT PLANAR WAVEGUIDE"; Electronics Letters; 13th August 1992; Vol. 28, No. 17; pp. 1591-1592			
	KKAU	R. Droopad et al.; "Epitaxial Oxide Films on Silicon: Growth, Modeling and Device Properties"; Mat. Res. Soc. Symp. Proc. Vol. 619; 2000 Materials Research Society; pp. 155-165			
	KKAV	H. Ohkubo et al.; "Fabrication of High Quality Perovskite Oxide Films by Lateral Epitaxy Verified with RHEED Oscillation"; 2419A Int. Conf. on Solid State Devices & Materials, Tsukuba, August 26-28 (1992); pp. 457-459			
	KKAW	Lin Li; "Ferroelectric/Superconductor Heterostructures"; Materials Science and Engineering; 29 (2000) pp. 153-181			
	KKAX	L. Fan et al.; "Dynaamic Beam Switching of Vertical-Cavity Surface-Emitting Lasers with Integrated Optical Beam Routers"; IEEE Photonics Technology Letters; Vol. 9, No. 4; April 4, 1997; pp. 505-507			
	KKAY	Y. Q. Xu. et al.; "(Mn, Sb) dropped-Pb(Zr,Ti)O <sub>3</sub> infrared detector arrays"; Journal of Applied Physics; Vol. 88, No. 2; 15 July 2000; pp. 1004-1007			
	KKAZ	Kiyoko Kato et al.; "Reduction of dislocations in InGaAs layer on GaAs using epitaxial lateral overgrowth"; 2300 Journal of Crystal Growth 115 (1991) pp. 174-179; December 1991			
	LLAA				
	LLAB				
	LLAC				
	LLAD				
	LLAE				
Examiner				Date Considered	
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					

RECEIVED  
MAY 13 2003  
TECHNOLOGY CENTER 2800



JUL 31 2002

~~JUL 30 2002~~RECEIVED: 8-5-02  
OBLON SPIVAK MCCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: 11-8-02  
Type of Resp(s):  
Due Date(s):OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC  
FOURTH FLOOR  
1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON VA 22202In re Application of  
Vierira, et al.  
Application No. 09/908,888  
Filed: July 20, 2001  
For: Fabrication Of A Wavelength  
Locker Within A Semiconductor  
Structure  
Attorney Docket No. 211692US99: RESPONSE TO PETITION  
: UNDER 37 CFR 1.182  
: SEEKING SPECIAL  
: TREATMENT OF DISCLOSURE  
: STATEMENTS, AND  
: DECISION ON PETITION  
: UNDER 37 CFR 1.183  
: SEEKING WAIVER OF  
: REQUIREMENTS UNDER  
: 37 CFR 1.98

This is a response to a petition under 37 CFR 1.182 filed on April 12, 2002 and supplements filed on July 1, 2002 and on July 12, 2002. The § 1.182 petition requests special treatment of disclosure statements filed pursuant to 37 CFR 1.98. Additionally, the petition requests waiver of the rules which waiver is treated as a request under 37 CFR 1.183, for relief from the current requirements for Information Disclosure Statements under 37 CFR 1.98. The request for special treatment and waiver are made in view of the need to file multiple applications relating to different aspects of a particular invention. The § 1.182 petition also contains a request seeking permission to submit prior art submissions on compact disc and the establishment and searching of an Official classification(s) based on the prior art submission. The petition under 37 CFR 1.183, is requesting relief from the § 1.98 provision which requires filing paper copies of references in each of many related applications where the references are being cited by Petitioner.

The petition under 37 CFR 1.182 requesting special treatment of disclosure statements, and the petition under 37 CFR 1.183 regarding the submission of a reduced number of paper copies of IDS references is GRANTED IN PART to the extent set forth below.

The Decision is set forth in five parts:

- Part I. Background
- Part II. Petition Under 37 CFR 1.182 - Special Treatment
- Part III. Petition Under 37 CFR 1.183 - Paper Copies
- Part IV. Summary
- Part V. Further Correspondence

#### Part I. Background

The instant application filed under 35 U.S.C. 111 is one of about 330 U.S. applications (either filed or to be filed) relating to

different aspects of an invention listed in the July 1, 2002 supplement to the petition. An appendix prepared by Technology Center 2800 indicates approximately 300 of the applications have been classified for examination in Technology Center 2800. The balance of about 30 applications are in five other Technology Centers. The July 12, 2002 supplement to the petition indicates that an Information Disclosure Citation List has in excess of 400 reference citations.

Petitioner's submission of an Information Disclosure Statement is taken as an attempt to comply with 37 CFR 1.56(b)(1) that requires disclosure to the Office of information that "establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim...." Such disclosure can be made by an Information Disclosure Statement (IDS) in the manner prescribed by 37 CFR 1.97 and 1.98.

#### Part II. Petition Under 37 CFR 1.182 - Special Treatment

The petition requests the establishment of an Official search classification containing all of the references cited in the IDS and that the examiners be required to search that classification.

As is the case with all search Digests, their creation and usefulness is continually evaluated. The Office will create and place appropriate references in Digests as they are discovered. The Office will not commit to placement of each IDS citation, made in all of the bulk filing applications, in any Digest(s) as the particular relevancy of the citations at this time is uncertain because petitioner has supplied no explanation of any of the citations. The Office will not require that any digest(s) created be searched for each of the bulk filing applications as the appropriate search for any particular application is within the determination and discretion of individual examiner based on the claim(s) of that application.

The petition also mentions the submission of additional copies of the references on compact disc for the examiner's convenience which appear to be courtesy copies. Courtesy copies will not be made part of the Official record of any application and cannot be relied upon for meeting any requirement for the submission of an information disclosure statement. There is insufficient information in the petition concerning the data formats and software requirements to accord the compact discs any other status. Further, as discussed below, the Office has a procedure for electronically submitting citations without paper copies for an Information Disclosure Statement. Hence it is not clear why relief is required under § 1.182. In view of the relief granted below, and that no specific action is requested concerning the compact disc submission, no further discussion of the compact discs is required in this decision.

Petition under § 1.182 is Dismissed.



## Part III. Petition Under 37 CFR 1.183 - Paper Copies

37 CFR 1.98 requires that any information disclosure statement provide a copy of all patents, publications or other information submitted under 37 CFR 1.97 for consideration by the Office. 37 CFR 1.97 notes that information disclosure statements are considered in regard to the application in which they are filed. See also MPEP 609, pages 600-118 and 600-119.

Paper copies: Petitioner notes that the instant application is one of about 330 bulk filing applications that will be or have been filed in regard to a particular technology. Accordingly, Petitioner requests that individual paper copies of each citation brought to the attention of the Office in regard to the instant individual application, the "holding" application, not be required to be submitted in each related "bulk filing" application. Rather, it is requested that three complete sets of paper copies be permitted to be filed as a substitute for filing in each application.

Rather than be required to submit, via a paper copy, 400 reference in each of 330 applications, Petitioner seeks to have:

(1) Three complete sets of paper copies of each IDS citation submitted;

(2) One application (the instant application) identified as a "holding" application which would contain one complete set of paper copies of references; the paper copies of U.S. patents to be submitted in only the "holding" application;

(3) The other related pending U.S. applications, hereafter referred to as the "bulk filing" applications, be exempt from containing a paper set of the references; the bulk filing applications will contain other information, e.g., a copy of the decision on petition permitting such procedure, a copy of the Form 1449 (or equivalent). The petition does not indicate whether the paper references that are to be submitted as a numbered compendium, which numbering will correspond to the numbering in a PTO-1449 form.

(4) The information supplied via the bulk filing IDS will be updated approximately monthly.

Once past the initial IDS submission, the petition proposes the waiver to apply to updates.

Suspension of action: In view of the use of the instant application as a holding application (to contain a complete set of paper copies of reference citations, which can be consulted by the examiner when examining any of the other bulk filing applications that have a Form 1449 but not the paper copies of the references), the petition does not address how upon allowance the instant holding application will be treated. Whether the application can remain as the holding application without a suspension of action is not addressed. An alternative not discussed in the petition is that an alternate application may be designated as the holding application.

Termination: Petitioner does not seek a specific right of termination. Termination by the Office is to be by written notice to the attorney giving a 2 month period. Termination by Petitioner is to be by returning to compliance with 37 CFR § 1.98. The Office will accept and specifically reserve the right to terminate the waiver grant in regard to § 1.98(a)(2) without provision of reasons. Should a termination of the waiver be desired by the Office, the Office will provide written notice to the correspondence address of record. In such event, a two month period will be given where paper copies would have to be supplied in all applications where new citations are made. Termination by Applicant may be by returning to compliance with § 1.98(a)(2) without formal notice thereof and no transition/continuing period after termination is required.

Different Technology Centers: It appears from the petition that Petitioner intends to cite every reference cited in any of the 330 applications in every other application. No references will be omitted because they are less relevant or cumulative of those already of record in a particular application. At least 30 of the applications are of such divergent technologies that they are in 5 technology centers outside Technology Center 2800. The applications outside Technology Center 2800 will be examined in areas without convenient access to the paper copies in Technology Center 2800. The 5 other technology centers have requested more access to the paper copies than the relief granting this petition for all 330 applications will afford. It is not clear from the petition why citing every reference in every application when they are in such diverse technologies is necessary or required by § 1.56. Relieving petitioner of the burden of filing paper copies in applications outside Technology Center 2800 will create an additional burden on the examiners of those applications. It is also possible for applicant to comply with 37 CFR 1.98 for U.S. Patents and Patent application publications by submitting references via "e-IDS."<sup>1</sup> Hence it appears that petitioner has not demonstrated why a waiver for those applications filed outside Technology Center 2800 is necessary.

Decision: 37 CFR 1.183 provides relief for extraordinary situations, when justice requires suspension of any requirement of the regulations which is not a requirement of the statutes. The instant petition urges that not only would applicant be spared the necessity of submitting duplicative paper copies of U.S. patents in over 300 applications, but also the Office would benefit from not having to handle and store the duplicative sets of copies. While there may be some negative effects from the Office's point of view in terms of making the copies available to different examiners handling the various applications, on balance, there is seen to be sufficient benefit to justify waiver in this instance for the applications filed in Technology Center 2800. With respect to those applications being examined outside

---

<sup>1</sup>The instructions for submitting an e-IDS can be downloaded at:  
[http://www.uspto.gov/ebc/efs/downloads/documents/EFSePAVE\\_April23.pdf](http://www.uspto.gov/ebc/efs/downloads/documents/EFSePAVE_April23.pdf).

Technology Center 2800, on balance, the burden on petitioner is substantially less to provide an additional paper copy for each application with significantly less benefit to the Office waiving the requirement. Further with respect to other 30 applications the need to submit these references has not been established nor has petitioner addressed alternative methods of compliance.

Accordingly, the petition under 37 CFR 1.183 is granted to the extent indicated and under the terms and conditions as are set forth below.

The § 1.98(a)(2) requirement for (the submission of) a copy of each IDS citation in a bulk filing application will be waived in the bulk filing applications examined in Technology Center 2800 provided that the following 9 conditions are complied with:

- 1) Three paper copies of each IDS citation are or have been submitted to the Office;
- 2) Each (bulk filing) application for which waiver of § 1.98(a)(2) is desired refers to the instant holding application, such as by a claim of priority under 35 U.S.C. 120, or as containing related technology;
- 3) The information is or has also been cited in the holding application;

Note: Applicant is not required to cite in each bulk filing application every item of information that is cited in the instant holding application. Items should be cited in each bulk filing application on the basis of relevancy and materiality to the particular claims in the bulk filing application and what each piece of information teaches.

A waiver is not granted (for the requirement to supply a paper copy of an IDS citation in another bulk filing application) where the citation is not, or has not been, made in the instant holding application.

- 4) A copy of this Decision is filed in each bulk filing application for which waiver is requested;

5) Explanatory information related to a particular citation, such as the concise explanation of a foreign language reference under § 1.98(a)(2), once submitted in the holding application must be supplied in each bulk filing application where the citation is made.

6) The Office accepts and specifically reserves the right to terminate the waiver grant in regard to § 1.98(a)(2) without provision of reasons. In such event, a two month period will be given where paper copies would have to be supplied in all applications where new citations are made. Should a termination of the waiver be desired by the Office, the Office will provide written notice to the correspondence address of record. Termination by applicant may be by returning to compliance with § 1.98(a)(2) without formal notice thereof and no transition/continuing period after termination is required.

- 7) The grant of the § 1.183 petition re § 1.98(a)(2) does

not indicate that the Office would favorably treat a petition to suspend action under § 1.103(a) should the instant holding application be allowed. Issuance of the instant application as a patent is not seen to terminate its usefulness either: (1) as a holding application for references by examiners working on other related applications, or (2) as a vehicle for the storage of references to be cited even after the patent issues (35 U.S.C. 301, 37 CFR 1.501, and MPEP 2202). Should the instant application become abandoned, the issue of continued introduction of paper copies of new citations could be taken up at that time. The Office, however, may consider suspending or taking other appropriate action in the instant holding application in the event the holding application is allowed, if it is in the best interest of the Office to do so.

8) There will be no waiver of any aspects of 37 CFR 1.98 in any application after allowance or final rejection of that application.

9) The copies will be submitted as a compendium with the reference numbering in the Form 1449 corresponding to the presentation of the references in the compendium.

#### Part IV. Summary

The petition under 37 CFR 1.182 requesting special treatment by creation of special digests and accepting compact disc submissions is dismissed because there is no showing that the relief granted below under 37 CFR 1.183 is not sufficient for compliance with 37 CFR 1.56.

The petition under 37 CFR 1.183 agreeing to supply three copies of each IDS citation in a holding application and requesting waiver of the paper copy requirement for submission in every related application under § 1.98(a)(2) is granted for those applications examined in Technology Center 2800, however, the following is not agreed to:

- the waiver of supplying a paper copy of each reference in applications examined outside Technology Center 2800.
- the creation of Official search classifications and the mandatory search thereof.
- The establishment of an Official search classification containing all of the references cited in the IDS and that the examiners be required to search that classification.

#### Part V. Further Correspondence

Any correspondence with respect to this matter should be addressed as follows:

By mail:           Assistant Commissioner for Patents  
                    Box DAC  
                    Washington, D.C. 20231

Docket Number	Application #	Art Unit
	10125540	1631
	9984471	1641
	9624877	1725
	9911539	1725
	9911493	1743
	9832354	1753
	9842735	1765
	9884981	1765
	9911702	1765
	9921910	1765
	9975930	1765
	10124460	1765
	09273929	1765
	09662390	1765
	9905110	1772
	9621771	1775
	9870830	1775
	9871958	1775
	9901109	1775
	9960402	1775
	09274268	1775
	09465623	1775
	09813779	1775
	9865446	2631
	9930171	2633
	09617640	2633
	9910032	2663
	10152783	2673
	09607239	2681
	09607420	2682
	9900885	2811
	10125486	2811
	10128262	2811
	10141876	2811
	10145734	2811
	10150065	2811
	09607386	2811
205954US-8737-8737-99	09607434	2811
20568ous-8737-8737-99	09712425	2811
205890US-8737-8737-99	09721566	2811
2061 ssus-8737-s737-ss	09766046	2811
208836US-8737-8737-99	09861636	2811
210044US-8737-8737-99	09884150	2811
210790US-8737-8737-99	09897965	2811
210260US-8737-8737-99	09900887	2811
211327US-8737-8737-99	09905869	2811
211318US-8737-8737-99	09905935	2811
211467US-8737-8737-99	09907705	2811
211685US-87378737-99	09908695	2811
211535US-8737-8737-99	09908860	2811
211689US-8737-8737-99	09908886	2811
2115815US-8737-8737-99	09909936	2811
211891 US-8737-8737-99	09911455	2811
211804US-8737-8737-99	09911456	2811
211642US-8737-8737-99	09911465	2811
211805US-8737-8737-99	09911475	2811
213020US-8737-8737-99	09930247	2811

Docket Number	Application #	Art Unit
214975US-8737-8737-99	09978096	2811
216416 US-8737-8737-99	09994066	2811
217300US-8737-8737-99	10017596	2811
217730US-8737-8737-99	10026446	2811
219105US-8737-8737-99	10062429	2811
220526 US-8737-236694-99	10091452	2811
	10137383	2812
	10150066	2812
205958US-8737-8737-99	09678372	2812
	09801881	2812
209888 US-8737-8737-99	09884082	2812
210236US-8737-8737-99	09900921	2812
210800US-8737-8737-99	09903741	2812
211147US-8737-8737-99	09903784	2812
211214US-8737-8737-99	09904892	2812
211398US-8737-8737-99	09905981	2812
211691 US-8737-8737-99	09908902	2812
211699US-8737-8737-99	09909941	2812
211574US-8737-8737-99	09910022	2812
211644US-8737-8737-99	09910754	2812
21217005-8737-8737-99	09921901	2812
21288605-8737-8737-99	09929021	2812
216420US-8737-8737-99	09993523	2812
218840US-8737-8737-99	10059411	2812
	10134506	2813
205962US-8737-8737-99	09624526	2813
205881 US-8737-8737-99-CIP	09780119	2813
291419US-8737-8737-99	09906783	2813
21189705-8737-8737-99	09911496	2813
211806US-8737-8737-99	09911496	2813
29 2171 US-8737-8737-99	09921905	2813
215930US-8737-8737-99	09986899	2813
	9930275	2814
	10137369	2814
	10140939	2814
205949US-8737-8737-99	09607408	2814
205924US-8737-8737-99	09621779	2814
205925US-8737-8737-99	09624699	2814
205917US-8737-8737-99	09642558	2814
205906US-8737-8737-99-CIP	09740219	2814
208835US-8737-8757-99	09861638	2814
208833US-8737-8737-99	09861639	2814
209079US-8737-8737-99	09865428	2814
209117US-8737-8737-99	09865429	2814
209080US-8737-8737-99	09865448	2814
208889US-8737-8737-99	09865449	2814
209995US-8797-8737-99	09882063	2814
210295US-8737-8737-99	09897059	2814
210789US-8737-8737-99	09897968	2814
211334US-8737-8737-99	09905980	2814
211323US-8737-8737-99	09906138	2814
211662US-8737-8737-99	09908888	2814
210139US-8737-8737-99	09909939	2814
211580US-8737-8737-99	09910019	2814
211719US-8737-8737-99	09911458	2814
211920US-x737-8737-99	09911459	2814
211720US-8737-8737-99	09911478	2814
21195505-8737-8737-99	09911488	2814

Docket Number	Application #	Art Unit
21202205-8737-8737-99	09911518	2814
21241905-8737-8737-99	09921898	2814
21287705-8737-8737-99	09929018	2814
21294505-8737-8737-99	09929748	2814
212949US-8737-8737-99	09930188	2814
212960US-8737-8737-99	09930259	2814
212958US-8737-8737-99	09930278	2814
215560US-8737-8737-99	09983859	2814
21 B359US 8737-8737-99	10053588	2814
205920US-8737-8737-99-C1P	09607207	2815
20591 OUS-8737-8737-99	09621130	2815
205927US-8737-8737-99	09624691	2815
205918US-8737-8737-99	09629283	2815
205877US-8737-8737-99	09692568	2815
205887US-8737-8737-99	09733181	2815
205922US-8737-8737-99-C1P	09755340	2815
205961 US-8737-8737-99	09755341	2815
205960us-8737-8737-99	09755691	2815
205966us-8737-8737-99-clP	09824376	2815
205967US-8737-8737-99-CIP	09824615	2815
209279US-8737-8737-99	09849172	2815
209340US-8737-8737-99	09870592	2815
209997US-8737-8737-99	09882062	2815
210140US-8737-8737-99	09884982	2815
210243US-8737-8737-99	09900882	2815
210798US-8737-8737-99	09901601	2815
210827US-8737-8737-99	09903742	2815
211400US-8737-8737-99	09904841	2815
210828US-8737-8737-99	09905932	2815
211677US-8737-8737-99	09908892	2815
211675US-8737-8737-99	09910021	2815
211645US 8737-8737-99	09911412	2815
211894US-8737-8737-99	09911490	2815
212423US-8737-8737-99	09911491	2815
211896US-8737-8737-99	09911542	2815
2114.71 US-8737-8737-99	09911691	2815
21202405-8737-8737-99	09918801	2815
212543US-8737-8737-99	09924481	2815
21266905-8737-8737-99	09927396	2815
212761 US-8737-8737-99	09928356	2815
212954US-8737-8737-99	09929020	2815
29 287805-8737-8737-99	09929022	2815
212947US-8737-8737-99	09929261	2815
212944 US-8737-8737-99	09930145	2815
29290605-8737-8737-99	09930175	2815
212948US-8737-8737-99	09930176	2815
213012US-8737-8737-99	09930260	2815
212953US-8737-8737-99	09930261	2815
212959 US-8737-8737-99	09930276	2815
213130US-8737-8737-99	09934836	2815
215512US-8737-8737-99-CIP	09983854	2815
215878US-8737-8737-99-DIV	09986034	2815
219625US-8737-8737-99-DIV	10076450	2815
211573US-8737-8737-99	09909938	2816
211637US-8737-8737-99	09910799	2817
	10161743	2818
205955US-8737-8737-99	09609071	2818
205913U8-8737-8737-99	09656337	2818
205957US-8737-8737-99	09712875	2818

Docket Number	Application #	Art Unit
205908US-8737-8737-99	09740268	2818
206160US-8737-8737-99	09753808	2818
205909US-8737-8737-99	09822499	2818
205969US-8737-8737-99	09822499	2818
205971 US-8737-8737-99	09824259	2818
205970US-8737-8737-99	09824388	2818
209278US-8737-8737-99	09849159	2818
209280US-8737-8737-99-CIP	09859700	2818
209341 US-8737-8737-99	09870589	2818
209164US-8737-8737-99	09870828	2818
209166US-8737-8737-99	09870829	2818
210132US-8737-8737-99	09884149	2818
210148US-8737-8737-99	09885409	2818
211314US-8737-8737-99	09905868	2818
211422US-8737-8737-99	09906769	2818
211472US-8737-8737-99	09908898	2818
211670US-8737-8737-99	09910018	2818
211686US-8737-8737-99	09910020	2818
211640US-8737-8737-99	09910798	2818
21195805-8737-8737-99	09911429	2818
211584US-8737-8737-99	09911448	2818
211578US-8737-8737-99	09911628	2818
211425US-8737-8737-99	09911629	2818
215562 US-8737-8737-99	09983869	2818
217459US-8737-8737-99	10020900	2818
218843US-8737-8737-99	10059409	2818
215820US-8737-8737-99	09986534	2821
208826US-8737-8737-99	09861637	2822
209078US-8737-8737-99	09865447	2822
209077US-8737-8737-99	09866637	2822
210792US-8737-8737-99	09899997	2822
211469 US-8737-8737-99	09907707	2822
211534US-8737-8737-99	09908707	2822
211684US-8737-8737-99	09908887	2822
211673US-8737-8737-99	09908897	2822
211674US-8737-8737-99	09909937	2822
211956 US-8737-8737-99	09911447	2822
211850US-8737-8737-99	09911507	2822
212021 US-8737-8737-99	09911517	2822
21202505-8737-8737-99	09911627	2822
212131 US-8737-8737-99	09919967	2822
21290705-8737-8737-99	09930170	2822
	10136324	2823
205959US-8737-8737-99	09689583	2823
210150US-8737-8737-99	09884983	2823
210244US-8737-8737-99	09900883	2823
210216US-8737-8737-99	09903743	2823
211413US-8737-8737-99	09905863	2823
211315US-8737-8737-99	09905933	2823
211474US-8737-8737-99	09907703	2823
211555US-8737-8737-99	09908883	2823
211671 US-8737-8737-99	09910023	2823
211676US-8737-8737-99	09910034	2823
211618US-8737-8737-99	09910753	2823
29 2955US-8737-8737-99	09930444	2823
215873US-8737-8737-99-D IV	09986024	2823
216598US-8737-8737-99-DN	09993514	2823
205889US-8737-8737-99	09733688	2824
205914US-8737-8737-99	09795784	2824



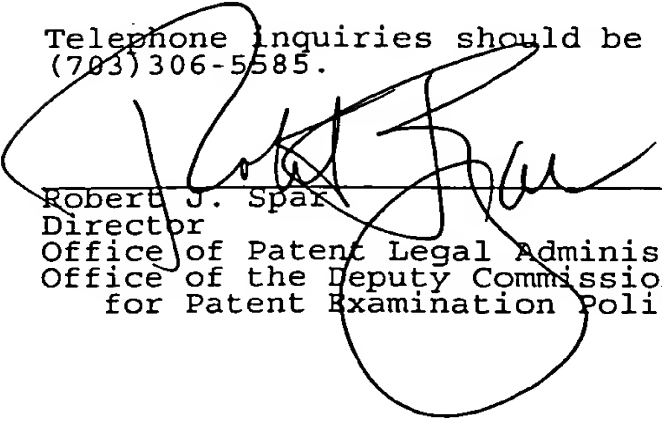
Docket Number	Application #	Art Unit
210259US-8737-873799	09897128	2824
210784US-8737-8737-99	09905098	2824
211577US-8737-9737-99	09909905	2824
21301 OUS-8737-8737-99	09930308	2824
	10125410	2825
205912US-8737\$737 99	09624690	2825
205893US-8737-873799	09625100	2825
210788US-8737-8737-99	09901110	2825
211317US-8737-8737-99	09906730	2825
211688US-8737-8737-99	09908891	2825
211579US-8737-8737-99	09909940	2825
211917US-8737-8737-99	09911460	2825
205973US-8737-8737-99	09584601	2826
205938US-8737-8737-99	09624296	2826
205934US-8737-8737.89	09624754	2826
205884US-8737-8737-99-CIP	09758723	2826
205968US-8737-8737-99	09824273	2826
206669US-8737-873799	09838273	2826
209491 US-8737-8737-99-CIP	09840213	2826
209284U S,B737-8737-99	09842734	2826
209281 US-8737-8737-99	09853744	2826
209336US-8737-8737-99	09870834	2826
209505US-8737-8737-99	09874984	2826
210826US-8737-873799	09904894	2826
210786US-8737-87379	09905902	2826
211326US-8737-8737-99	09905903	2826
211328US-8737-8737-99	09905930	2826
211325US-8737-8737-99	09905934	2826
211431 US-8737-8737-99	09906784	2826
211468US-8737-8737-99	09907704	2826
211672 US-8737-8737-99	09910024	2826
211582US-8737-8737-99	09910044	2826
21202005-8737-8737-99	09911444	2826
211724us-6737-8737-99	09911464	2826
211803US-8737-8737-99	09911473	2826
211690US-8737-8737-99	09911484	2826
211890US-8737-8737-99	09911494	2826
211722US-8737-8737-99	09911543	2826
212421 U&8737-8737-99	09921894	2826
292946US-8737-8737-99	09929024	2826
213009US-8737-8737-99	09930254	2826
21290905-8737-8737-99	09930270	2826
	9985757	2828
209282U5-8737-873799	09852109	2828
210787US-8737-8737-99	09901905	2828
210785US-8737-8737-99	09903740	2828
210257US-8737-8737-99	09910035	2828
21217305-8737-8737-99	09921900	2828
213011 US-8737-8737-99	09930243	2828
	10166196	2829
206166US-8737-8737-99	09425945	2829
209696US-8737-8737-99	09882064	2829
211324US-8737-8737-99	09904895	2829
211332 US-87378737-99	09905116	2829
211893US-8737-8737-99	09911445	2829
211723US-8737-8737-99	09911446	2829
21181 OUS-8737-8737-99	09911495	2829
215295US-8737-8737-99	09983326	2829

Docket Number	Application #	Art Unit
205915US-8737-9737-99	09624803	2834
211916US-8737-8737-99	09911487	2839
217731 US-8737-8737-99	10026812	2841
	10151950	2851
217354US-8737-8737-99	10020898	2861
205972US-8737-8737-99	09624698	2872
205939US-8737-8737-99	09669602	2873
205950US-8737-8737-99	09607236	2874
205951 US-8737-8737-99	09607744	2874
205947US-8737-8737-99	09608807	2874
209409US-8737-8737-99	09870836	2874
209162US-8737-8737-99	09870837	2874
217678US-8737-8737-99	09908885	2874
210824US-8737-8737-99	09909906	2874
211854US-8737-8737-99 -	09911457	2874
211808US-8737-8737-99	09911466	2874
211807US-8737-8737-89	09911469	2874
211911 US-8737-8737-99	09911472	2874
21195705-8737-8737-99	09911492	2874
21209905-8737-8737-99	09918802	2874
21209805-8737-8737-99	09919927	2874
212950US-8737-8737-99	09929019	2874
215539US-8737-8737-99-CONT	09983866	2874
205949 US-8737-8737-99	09607237	2876
205944US-8737-8737-99	09609262	2877
209403US-8737-8737-99	09870831	2877
209338US-8737-8737-99	09870832	2877
209695US-8737-8737-99	09882067	2878
209402US-8737-8737-99	09870835	2881
210794US-8737-8737-99	09899996	2881
211427US-8737-8737-99	09906782	2881
21242505-8737-8737-99	09921895	2881
212426US-8737-8737-99	09921896	2881
212590US-8737-8737-99	09927393	2881
209342US-8737-8737-99	09870833	2882
	9905115	3662
	9911420	3663
	09607722	3736

By FAX: (703) 872-9005

By hand: Crystal Plaza Four, Suite 3C23  
2201 South Clark Place  
Arlington, VA 22202

Telephone inquiries should be directed to Michael L. Lewis at  
(703) 306-5585.



Robert J. Spar  
Director  
Office of Patent Legal Administration  
Office of the Deputy Commissioner  
for Patent Examination Policy

Attachment: TC Assignment Appendix